



2814

Appl. No. 09/451,619

Comments to interview, February 22, 2005

Attorney Docket No. 81788.0025

Customer No.: 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Seiichi Mori

Serial No: 09/451,619

Confirmation No.: 9292

Filed: November 30, 1999

For: NON-VOLATILE SEMICONDUCTOR
MEMORY AND MANUFACTURING
METHOD THEREOF

Art Unit: 2814

Examiner: Howard Weiss

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

February 22, 2005

Date of Deposit

William H. Wright, Reg. No. 36,312

Name

Signature

2/22/05

Date

COMMENTS

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

These comments to the interview held on January 19, 2005 are filed on February 22, the first business day following Monday, February 21, 2005, Washington's Birthday holiday.

The comments included in the Examiner's interview summary are accurate. Applicant inquired as to the basis for the Examiner ignoring the write and erase limitations of the claims. The Examiner stated his view that these limitations represented ways of using the claimed devices rather than claim limitations. Applicant pointed to the language of dependent claims 30 and 35 and the Examiner agreed that these claims recited structure that required that the write and erase limitations be given patentable weight.

Applicant also pointed out that the combination underlying the rejection of claim 21 would be inoperative due to the fact that charging and discharging

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operations would cause carriers to be trapped in the dielectric away from the charge transport region of the resulting device, which could prevent reprogramming of the memory cell.

Others of the new dependent claims were not discussed. Applicant notes that the dependent claims further distinguish over the cited references and present independently patentable subject matter.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6742 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: February 22, 2005

By: 

William H. Wright
Registration No. 36,312
Attorney for Applicant(s)

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In re application of:

Seiichi Mori

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a response in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	6	-	20**	0	LG=\$18 SM=\$9	\$18	\$ 0
INDEPENDENT CLAIMS FEE	2	-	5***	0	LG=\$88 SM=\$44	\$88	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145		\$
TOTAL							\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ A check in the amount of \$ 0 to cover the additional claims fee is enclosed. **A copy of this sheet is enclosed.**
- ☐ A check in the amount of \$ 0 to cover the extension fee is enclosed. **A copy of this sheet is enclosed.**
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1314. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

Wei-Ning Yang
Registration No. 38,690
Attorney for Applicant(s)

Date: February 22, 2005

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